

# Sage Legal LLC

18211 Jamaica Avenue • Jamaica, NY 11423-2327 • (718) 412-2421 • [emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)

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June 11, 2024

## VIA ECF

United States District Court  
Eastern District of New York  
Attn: Hon. Pamela K. Chen, U.S.D.J.  
225 Cadman Plaza East  
Courtroom 4F North  
Brooklyn, NY 11201-1804

**Re: IME WatchDog, Inc. v. Gelardi, *et al.***  
**Case No.: 1:22-cv-1032 (PKC) (JRC)**

Dear Judge Chen:

This office, together with Milman Labuda Law Group PLLC, represents the Plaintiff IME WatchDog, Inc. ("Plaintiff") in the above-referenced case.

Plaintiff writes to provide the Court with a supplemental response made by Giant Partners, Inc. ("Giant Partners" or "GP") to the subpoena issued by Plaintiff containing an approximately thirty-three (33) minute video of a recorded virtual meeting between Defendants Safa Gelardi ("Safa") and Vito Gelardi ("Vito") with GP.

The video contains bombshell evidence of Safa's numerous admissions against interest, virtually all of which directly contradict her and non-party Eugene Liddie's ("Liddie") testimony at the May 4, 2023 and May 29, 2024 hearings, as well as their declarations. Although it should be unsurprising at this point, Plaintiff submits that this evidence truly shocks the conscience.

Plaintiff realizes that this Court requested that the parties file no additional submissions. However, Plaintiff respectfully submits that the instant submission is necessary for a multitude of reasons, including that:

(i) the contents of the video bear directly on the issues to be decided by this Court, and conclusively establish both that Plaintiff is entitled to relief for its contempt applications and that both Defendants and Liddie perjured themselves;

(ii) this submission will expedite the hearing by permitting this Court to review the video, which was authenticated by Sheldon Katz – GP's custodian of records and Chief Operating Officer – at today's deposition taken pursuant to Rule 32 of the Federal Rules of Civil Procedure and this Court's Order dated May 17, 2024 in advance of the Monday, June 17, 2024 continued hearing if this Court is able to; and

(iii) the parties can focus their efforts on presenting summations on June 17, 2024 as Plaintiff anticipates providing a copy of the video and transcript of Giant Partners' deposition by Thursday, June 13, 2024.

Further, we have consulted with counsel for both Defendants and Liddie and both have refused to appear at the Monday, June 17, 2024 hearing date to address the contents of this video.

Plaintiff respectfully requests an Order directing them to so appear in light of their outrageous perjury. Liddie's attorney states that he cannot appear due to a graduation event. Meanwhile, Defendants' attorney objects to appearing for a multitude of reasons, namely that they have already been examined. However, Plaintiff respectfully submits that this video was only recently received and it was thus deprived of an opportunity to cross-examine Safa, Vito, and Liddie about this crucial evidence. As a result, and as required by this Court's March 8, 2024 Order, any witness who testifies should be required to appear in person on June 17, 2024. Further, to the extent that this Court wishes to inquire of the Defendants and/or Liddie concerning the contents of the video, they should all be required to appear in person.

A link to the videos are contained here:

- (i) <https://vimeo.com/954622766/bea4153b4d?share=copy>
- (ii) <https://vimeo.com/955048220/b4c5bea419?share=copy>.

A certified transcript of the video is attached hereto as **Exhibit "A."** Plaintiff thanks this Court for its continued time and attention to this case.

Dated: Jamaica, New York  
June 11, 2024

Respectfully submitted,

**MILMAN LABUDA LAW GROUP PLLC**

/s/ Jamie S. Felsen, Esq.

**SAGE LEGAL LLC**

/s/ Emanuel Kataev, Esq.

cc: all counsel of record